

Todd A. Walburg (SBN 213063)
taw@mccunewright.com
Scott B. Baez (SBN 330485)
sbb@mccunewright.com
MCCUNE LAW GROUP, APC
3281 E. Guasti Road, Suite 100
Ontario, CA 91761
Telephone: (909) 757-1250
Facsimile: (909) 757-1275

Attorneys for Plaintiff
DONNA LEACH, individually and
on behalf of the Estate of Clyde Leach

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONNA LEACH, individually and on
behalf of the Estate of Clyde Leach,

Plaintiff,

v.

TESLA, INC. and DOES 1 through 100,
inclusive,

Defendants.

Case No. 23-cv-03378-SI

Honorable Susan Illston

Action Filed: April 11, 2023 (Santa Clara
Superior Court)
Transfer Date: July 7, 2023

**PLAINTIFF'S BRIEF RE:
DECEMBER 18, 2024 DISCOVERY
DISPUTE**

Discovery
Cut-Off: February 14, 2025
Trial Date: July 21, 2025

I. INTRODUCTION

The parties previously submitted a Joint Statement regarding: (1) whether Tesla must produce responsive documents by a date certain; (2) whether Tesla must produce a privilege log; (3) whether objections stated in supplemental responses are untimely and waived; and (4) whether to compel further responses or permit further briefing. Dkt. No. 55. Tesla was ordered to produce a privilege log by January 3, 2025. Dkt. No. 56. In addition, the Court ordered Plaintiff to provide further briefing that

describes the specific material she still seeks, taking into account the production that Tesla has already made. Dkt. No. 56.

II. DISCUSSION

A. Summary of Items Produced and Further Responses Requested

Tesla's supplemental responses to Plaintiff's Requests for Production, Set Two, and Interrogatories, Set One, contained little substantive information, and the related document productions contained few responsive documents. Dkt. Nos. 55-3 and 55-6. Though Tesla describes its productions in response to Plaintiff's Requests for Production, Set Two, as "voluminous," it in fact contained only the following items:

- Eight crash test reports and associated video clips.
- Five PowerPoint presentations concerning collision performance.
- Notification to NHTSA regarding the subject incident and related non-substantive correspondence.
- Plaintiff's own Complaint in this matter.
- Four documents describing the function of the battery.
- One document describing the function of restraint system components.
- Nine pages of seat belt component drawings.
- Three pages of seat drawings.
- Fifteen pages of structural drawings.
- Thirty-two pages of battery drawings.
- Two regulatory compliance reports regarding seats and seat belts.

Plaintiff requests the Court compel Tesla to provide further amended responses to Requests for Production Nos. 2, 3, 7, 13-16, 20-30, 32-34, 39, 42-46, and 48-59, and Special Interrogatories Nos. 1-3, 6, and 10, as outlined herein and within the table of requests and responses attached hereto as **Exhibit 1**.

B. Legal Authority

Under the Federal Rules of Civil Procedure, parties are entitled to obtain

1 discovery “regarding any nonprivileged matter that is relevant to any party’s claim
2 or defense and proportional to the needs of the case, considering the importance of
3 the issues at stake in the action, the amount in controversy, the parties’ relative
4 access to relevant information, the parties’ resources, the importance of
5 the discovery in resolving the issues, and whether the burden or expense of the
6 proposed discovery outweighs its likely benefit.” Fed.R.Civ.P. 26(b)(1); *see also*
7 *Hickman v. Taylor*, 329 U.S. 495, 507 (1947) (discovery rules provide for “broad and
8 liberal” discovery).

9 Objections to interrogatories must state with specificity the grounds for the
10 objection, and any objection that fails to do so is deemed waived. Fed.R.Civ.P.
11 33(b)(4). With respect to requests for production, objections must state with
12 specificity the grounds for objecting to the request, including the reasons.
13 Fed.R.Civ.P. 34(b)(2)(B). An objection to a document request must also state whether
14 any responsive materials are being withheld on the basis of the objection.
15 Fed.R.Civ.P. 34(b)(2)(C).

16 General or boilerplate objections, such as those claiming requests are “overly
17 broad, burdensome, oppressive, and irrelevant,” are inadequate and tantamount to
18 not making any objection at all. *U.S. ex rel. O’Connell v. Chapman University*, 245
19 F.R.D. 646 (C.D. Cal. 2007). The objecting party must clearly articulate the reasons
20 for the objection. *Walker v. Lakewood Condominium Owners Ass’n.*, 186 F.R.D. 584
21 (C.D. Cal. 1999). Moreover, the party resisting discovery has the burden to show that
22 discovery should not be allowed and must clarify, explain, and support its objections.
23 *Gorrell v. Sneath*, 292 F.R.D. 629 (E.D. Cal. 2013).

24 “A party has an obligation to conduct a reasonable inquiry into the factual basis
25 of its discovery responses.” *Nat’l Academy of Recording Arts & Sciences, Inc. v. On*
26 *Point Events, LP*, 256 F.R.D. 678, 680 (C.D. Cal. 2009). “When a dispute arises out of
27 the completeness of a search undertaken, particularly where there is an absence of
28

information that would have been expected to be included, the responding party must come forward with an explanation of the search conducted with sufficient specificity to allow the Court to determine whether a reasonable search was performed.” *Shaw v. Davis*, No. 3:18-cv-0551-MMD-CLB, 2021 WL 3890094, at *4 (D. Nev. Aug. 31, 2021) (internal punctuation omitted).

As detailed below, Tesla’s boilerplate objections and evasive responses to Plaintiff’s Requests for Production of Documents, Set Two, and Special Interrogatories, Set One, fall far short of these obligations under the Federal Rules of Civil Procedure. Tesla’s minimal document production is also deficient. Plaintiff therefore requests that the Court compel Tesla to provide further responses and production of documents, as discussed below.

C. Specific Documents and Further Responses Requested

1. Documents and Information Concerning Other Similar Incidents

In this product liability case, Plaintiff Donna Leach alleges that her husband Clyde Leach was killed on April 17, 2021 due to defects present in his 2021 Tesla Model Y, VIN 5YJYGDEE2MF089331 (the “Subject Vehicle”). As part of her Complaint, Plaintiff alleges that the Subject Vehicle was defective in that it suddenly accelerated without driver input (Dkt. No. 1-2 at ¶¶22-23, 30-40), that it was not crashworthy in a frontal collision with a pole (*Id.* at ¶¶24-25, 41-46), and that it was susceptible to post-collision battery fire (*Id.* at ¶¶25-27, 41, 44-46.)

In order to prove her case, Plaintiff sought discovery of discrete categories of documents and information relating to other similar incidents—that is, other incidents in which Tesla Model Y vehicles or similar Tesla models suddenly accelerated, failed to protect occupants from reasonable collision forces, and/or experienced post-collision battery fires. Evidence of such other similar incidents is probative of critical issues including the existence of the alleged defects, Tesla’s notice

1 of the defects, duty to warn, causation, and to refute Tesla’s claim that Mr. Leach’s
2 death was caused only by driver error.

3 Tesla raised objections and refused to submit to discovery concerning any
4 collision or allegations beyond the present case.

5 Customer Comments/Complaints/Lawsuits/Depositions (Requests for
6 Production Nos. 48-56 and Special Interrogatories Nos. 1-3): Plaintiff requested that
7 Tesla produce “customer comments, feedback, correspondence, complaints, and
8 inquiries” regarding sudden unintended acceleration (RPD No. 49), frontal collision
9 crashworthiness (RPD No. 52), and post-collision battery fires (RPD No. 55).
10 Plaintiff further requested that for each such customer complaint, Tesla produce
11 certain communications, internet posts, summaries, and photographs and videos.
12 (RPD Nos. 50, 53, and 56.)

13 Plaintiff also requested that Tesla identify “complaints, lawsuits, and not-in-
14 suit matters” regarding sudden unintended acceleration, frontal collision
15 crashworthiness, and post-collision battery fires (SPROG Nos. 1-3), and produce
16 deposition testimony by its corporate designees and experts given in such lawsuits
17 (RPD Nos. 48, 51, and 54).

18 In response to all of these requests, Tesla initially asserted mere boilerplate
19 objections, including to the scope of the requests and the burden of compliance. In its
20 supplemental responses, Tesla refused to produce any documents or substantive
21 information and raised new untimely objections. For example, Tesla presented
22 untimely objections on the basis of consumer privacy to SPROG Nos. 1-3 and RPD
23 Nos. 48, 49, 50, 52, 53, 55, and 56.

24 Where Tesla purported to provide substantive information within its
25 supplemental responses, it did so only to evade the gravamen of Plaintiff’s requests.
26 In response to SPROGs 1-3 and RPD Nos. 49-56, Tesla asserted that it “searched for
27 but did not locate any lawsuit complaints” involving the allegation at issue involving
28

1 a “2021 Tesla Model Y prior to April 17, 2021,” the date of the subject incident. This
2 severe curtailment in scope renders these responses meaningless. The Model Y was
3 only available for purchase by the public for a matter of months prior to the date of
4 the subject incident and it is unlikely that any lawsuit concerning defects within it
5 would have already been filed by the time Mr. Leach was killed. Moreover, Tesla has
6 admitted that the Model Y at issue is structurally similar to other Tesla vehicles,
7 including the Tesla Model 3. Supp. Resp. to SPROG No. 8. Tesla has also claimed that
8 the Model Y has not undergone design revisions since its introduction. Supp. Resp. to
9 SPROG Nos. 11 and 12. Given the high degree of similarity across vehicle models and
10 model years that Tesla has admitted, a restriction of discovery to matters involving
11 the 2021 Model Y is inappropriate and prejudicial to Plaintiff’s rights to discover
12 relevant information.

13 Plaintiff contends that the burden of complying with these requests will be
14 minimal. Tesla maintains electronic databases of consumer complaints and can easily
15 perform searches for the symptoms that Plaintiff alleges. For example, it has been
16 publicly reported that Tesla assigns the internal code “27973” to customer reports of
17 sudden unintended acceleration. Plaintiff believes that it assigns similar codes to
18 reports concerning frontal crashworthiness and post-collision battery fires.
19 Performing searches of its databases for customer complaints, related
20 documentation, lawsuits, and deposition testimonies would be a trivial matter for
21 Tesla.

22 Plaintiff recognizes the need for restrictions on the scope of these requests and
23 therefore limited them to vehicles with the same or similar automated driving suite.
24 To the extent that the Court believes this is too broad, Plaintiff proposes to narrow
25 SPROG Nos. 1-3 and RPD Nos. 48-56 to reports and complaints arising since January
26 1, 2015.

27 ///

1 Incident Reports (Requests for Production Nos. 34 and 46): Plaintiff further
 2 requested documents related to incidents and/or reports involving frontal collisions
 3 with a narrow rigid object (RPD No. 34) and post-collision battery fires (RPD No.
 4 46). Tesla offered only boilerplate objections to RPD No. 34, which it did not
 5 supplement. It offered the same boilerplate objections to RPD No. 46, and in a
 6 supplemental response, stated that it was unaware of any lawsuits prior to the date
 7 of the subject incident involving a post-collision battery fire in a 2021 Tesla Model
 8 Y.

9 Further responses should be compelled for the same reasons as stated with
 10 respect to RPD Nos. 48-56 and SPROG Nos. 1-3.

11 Government Inquiries Regarding Sudden Unintended Acceleration (RPD Nos.
 12 13-14): Plaintiff requested documents relating to third-party investigations,
 13 including by the National Highway Transportation Safety Administration
 14 (“NHTSA”), and the National Transportation Safety Board (“NTSB”) into instances
 15 of sudden unintended acceleration (RPD No. 13). Plaintiff further requested Tesla’s
 16 internal communications relating so such investigations (RPD No. 14). Tesla’s
 17 initial responses asserted that the Subject Vehicle performed as designed and
 18 otherwise stated boilerplate objections. Its supplemental responses offered to
 19 provide only documents produced to NHTSA relating to the Subject Vehicle.

20 Plaintiff contends that Tesla has not met its burden to show why compliance
 21 with the requests would cause any undue burden. As alleged in Plaintiff’s Complaint,
 22 all of Tesla’s vehicles are equipped with features designed to prevent or mitigate
 23 unintended acceleration. Dkt. No. 1-2 at ¶36-38. Tesla has been subject to repeated
 24 government investigations concerning sudden unintended acceleration in its entire
 25 vehicle line regardless of model or model year, including open NHTSA Defect
 26 Petitions DP23001 and DP23002. Foreign regulators, including China’s Ministry of
 27 Industry and Information Technology (“MIIT”), have also investigated sudden
 28

1 unintended acceleration in Tesla vehicles. MIIT has even issued new regulations
2 banning Tesla's one pedal driving system, which Mr. Leach was known to use, in
3 order to prevent sudden unintended acceleration.

4 Plaintiff has a right to discover how Tesla responded to such investigations,
5 given the central role of sudden unintended acceleration in this case. As Tesla has
6 not stated any reason why production of documents on these topics would be in any
7 way burdensome, Plaintiff requests the Court compel full responses. Again, should
8 the Court feel the temporal scope should be limited, Plaintiff proposes that Tesla
9 produce all documents responsive to RPD Nos. 13 and 14 since January 1, 2015.

10 **2. Clarification as to Whether All Collision Testing Documents**
11 **Have Been Produced**

12 Crash Test Documents (RPD Nos. 21, 22, 28, and 33): Plaintiff requested
13 categories of documents related to collision performance of Tesla Model Y vehicles,
14 including studies of collision performance (RPD No. 21), testing documents (RPD
15 No. 22), studies of front crash structures (RPD No. 28), and effects on the battery
16 (RPD No. 33).

17 In response to each of these requests, Tesla initially provided boilerplate
18 objections. In its supplemental responses, Tesla stated only that it would "produce
19 frontal crash test reports related to the 2021 Tesla Model Y." Tesla then produced one
20 NHTSA filing concerning regulatory compliance of the 2021 Model Y, written reports
21 and videos relating to seven crash tests, videos relating to one additional crash test
22 (apparently lacking a written report), and five PowerPoint presentations concerning
23 collision testing and simulations.

24 Plaintiff contends that these responses are evasive because they are too narrow
25 in scope, and because it cannot be determined whether Tesla is producing all
26 responsive documents. Plaintiff's requests concerned all Model Y vehicles regardless
27 of model year, whereas Tesla's supplemental responses and document productions
28

only appear to concern one model year. In addition, the wording of Tesla's supplemental responses leaves the possibility open that it performed other frontal crash tests of Model Y vehicles that have not been produced. Indeed, Plaintiff is certain that Tesla did not produce documents relating to all Model Y frontal crash tests because Tesla's YouTube channel includes Model Y crash test video footage from at least four crash tests that were not produced as part of this case.¹ Plaintiff believes that Tesla limited its document production to industry-standard and regulatory crash tests, which Tesla's own engineers suggest provide only an incomplete picture of collision performance.²

In addition, although some photographs and videos are included as part of the reports and PowerPoint presentations, it cannot be determined whether all have been provided, or whether they were reproduced at their full resolution.

Plaintiff therefore requests that Tesla be compelled to provide further responses clarifying whether all the responsive documents have been produced with respect to all crash tests performed on all model years of Model Y vehicles.

3. Collision Simulation Documents, Including Native Software and Simulation Files

Model Y Collision Simulations (RPD Nos. 23 and 59; SPROG No. 10):

Plaintiff requested that Tesla produce documents related to computer simulations of collisions with narrow rigid objects in Model Y vehicles (RPD No. 23) and the simulation software and files Tesla used in their native format (RPD No. 59). Plaintiff further asked Tesla to identify certain details about its Model Y crash simulations (SPROG No. 10).

Tesla's initial responses to these requests consisted entirely of boilerplate

¹ Tesla YouTube video titled "Tesla Crash Lab | Data Driven Safety."
(https://www.youtube.com/watch?v=9KR2N_Q8ep8)

² *Id.*

1 objections. In its supplemental responses to RPD No. 23 and 59, Tesla referred
 2 Plaintiff to its supplemental response to RPD No. 21, which concerned crash testing.
 3 Tesla's supplemental response to SPROG 10 promised to produce "front crash
 4 simulations related to the 2021 Tesla Model Y". The only documents relating to
 5 simulations that Tesla produced, however, were the five PowerPoint presentations
 6 described above.

7 Plaintiff regards Tesla's computerized collision simulations to be of
 8 fundamental importance to this case, and further believes that Tesla's responses are
 9 incomplete and evasive. Modern automotive manufacturers like Tesla are believed to
 10 rely heavily on computer simulations rather than the traditional mode of actually
 11 crashing vehicles into objects. Tesla's has stated publicly that it performs many
 12 simulations of impacts that are different from those required by law and regulation.
 13 For example, Tesla claimed to perform "hundreds of simulations" prior to completing
 14 just one non-regulatory frontal crash test.³ Of course, Tesla did not produce this crash
 15 test or the simulation files that preceded it. Furthermore, although Tesla stated in
 16 response to SPROG No. 10 that it would produce simulation files, the PowerPoint
 17 presentations it produced do not include the information sought by SPROG 10.

18 Plaintiff requests that Tesla be compelled to provide all requested crash
 19 simulation files responsive to RPD Nos. 23 and 59, and provide a complete response
 20 to SPROG No. 10.

21 *Model 3 Collision Simulations (RPD Nos. 57 and 58; SPROG No. 6)*: Plaintiff
 22 also requested certain simulation files based on a public blog post that was formerly
 23 available on Tesla's website concerning the safety of the Tesla Model 3 in frontal
 24 pole impacts like the subject collision. Beyond its boilerplate objections, Tesla, in its
 25

26 ³ Tesla YouTube video titled "Tesla Crash Lab | Data Driven Safety."
 27 (https://www.youtube.com/watch?v=9KR2N_Q8ep8)
 28

1 supplemental responses, refused to submit to discovery concerning the Model 3
2 simulations and blog article (which were attached as exhibits to the discovery
3 requests), presenting untimely objections to discovery of any vehicles other than the
4 2021 Model Y.

5 Tesla's objections stated in its supplemental responses are untimely and
6 waived. Furthermore, Plaintiff contends that the limited scope of information and
7 documents she seeks concerning Model 3 collision simulations is appropriate and
8 proportional to the needs of this case. Tesla acknowledges the structural similarity of
9 the Model 3 and Model Y in its supplemental response to SPROG No. 8. Here,
10 Plaintiff merely seeks documentation related to Tesla's public claims about its
11 vehicles' crashworthiness. Furthermore, the need for this discovery was magnified
12 when Tesla removed the blog post at issue from its website in August 2024 after
13 Plaintiff's counsel began asking questions about it in this litigation.

14 **4. FMEA and DMFEA**

15 (RPD Nos. 15, 16, 20, 24, 32, 39, and 43): Plaintiff served a number of
16 requests for engineering analyses, including Failure Mode and Effects Analyses
17 ("FMEA") and Design Failure Mode and Effects Analyses ("DFMEA") regarding
18 sudden unintended acceleration (RPD Nos. 15 and 16), the Tesla Model Y restraint
19 system (RPD No. 20), frontal collisions with narrow rigid objects in the Model Y
20 (RPD No. 24), collisions with narrow rigid objects between the main crash rails in
21 Model Y vehicles (RPD No. 32), the battery pack in Model Y vehicles (RPD No. 39),
22 and post-collision battery fires in Model Y vehicles (RPD No. 43). Tesla responded to
23 all of these requests with nothing but boilerplate objections. Its supplemental
24 responses provided little additional responsive information. FMEAs and DFMEAs
25 are standard engineering documents that automotive manufacturers use.

26 Tesla refused to produce any documents in response to RPD Nos. 15 and 16,
27 and instead provided narrative concerning data from the Subject Vehicle and the
28

1 denial of NHTSA defect petition DP20-001. In its supplemental response to RPD No.
2 20, Tesla agreed to produce “documents relating to the developmental and compliance
3 testing of the driver’s seat belt system as equipped in the 2021 Model Y”. Its
4 supplemental response to RPD Nos. 24, 32, and 39 referred Plaintiff to RPD No. 21’s
5 response concerning crash testing. Its supplemental response to No. 43 stated that
6 Tesla would produce documents “reflecting analysis of resistance to thermal runaway
7 and propagation in relation to the battery pack of the 2021 Model Y.”

8 Plaintiff contends that Tesla’s responses to all of these requests are evasive
9 because they do not state whether Tesla possesses (and is thus withholding)
10 responsive FMEAs and/or DFMEAs concerning the requested categories. Plaintiff
11 appreciates that Tesla provided some documents concerning seat belt compliance
12 testing, crash testing, and battery fires, but these documents do not appear to
13 comprise FMEAs or DFMEAs, which is a structured and systematic technique for
14 failure analysis. Moreover, the responses as phrased provide ample wiggle room for
15 Tesla to withhold the analyses sought without clearly stating so. Finally, Tesla
16 refused to provide any analyses at all concerning sudden unintended acceleration, a
17 central focus of this case.

18 Plaintiff requests that the Court compel Tesla to provide further responses
19 which state clearly whether Tesla is withholding FMEAs and/or DFMEAs responsive
20 to RPD Nos. 15, 16, 20, 24, 32, 39, and 43.

21 **5. Design Documents**

22 (RPD Nos. 25-27 and 29-30): Plaintiff possesses information that the Tesla
23 Model Y has undergone design changes in its front crash structures. For example,
24 the Subject Vehicle featured front structures constructed of stamped sheet steel,
25 while newer Model Y vehicles feature single-piece cast aluminum structures that
26 Tesla calls “Gigacastings.”

27 In order to understand how the design and construction of the Model Y has
28

1 changed over the years, Plaintiff requested documents related to the design of the
2 front crash structures in all Model Y vehicles (RPD No. 25), engineering drawings for
3 all Model Y Vehicles (RPD No. 26), internal communications relating to the front
4 crash structures of all Model Y vehicles (RPD No. 27), and documents depicting the
5 assembly and construction of front crash structures of all Model Y vehicles (RPD No.
6 29). Because older Model Y vehicles like the Subject Vehicle were derived from the
7 Model 3 design, and newer Model Y vehicles differ in that they feature front
8 Gigacastings, Plaintiff also requested documents which discuss the differences
9 between the front crash structures of Model Y vehicles and Model 3 vehicles (RPD
10 No. 30).

11 Tesla initially responded with nothing but boilerplate objections. In its
12 supplemental responses to RPD Nos. 25, 26, and 29, Tesla agreed to produce
13 “documents reflecting the design of the front structures in the 2021 Model Y” and
14 indeed produced a set of eleven engineering drawings of the stamped sheet steel
15 version of the 2021 Model Y only. Tesla did not produce any internal communications
16 or documents concerning differences between the Model Y and Model 3, instead
17 standing on its boilerplate objections to RPD Nos. 27 and 30.

18 Plaintiff contends that she is entitled to documents reflecting the design, and
19 depicting the assembly, of both the older stamped sheet steel version of the Model Y,
20 and the newer Gigacasting version of the Model Y. Plaintiff believes that the older
21 front structures in Model Y vehicles like the Subject Vehicle were insufficient because
22 the design was based on the smaller, lighter Model 3. Plaintiff therefore served RPD
23 Nos. 25-27 and 29-30 so that she could understand how the design changed and how
24 it differs from its Model 3 predecessor. Tesla has not identified any reason why
25 production of these materials would subject it to undue burden. Plaintiff therefore
26 requests that the Court compel Tesla to produce the materials sought by RPD Nos.
27 25-27 and 29-30.

6. Items Promised But Not Produced

Requests for Production Nos. 2 and 3 sought data relating to and transmitted by the Subject Vehicle. Beyond boilerplate objections to the scope and relevance of the requests, Tesla's responses stated that all non-privileged vehicle data had already been produced. Conversely, Tesla further stated that it would produce additional diagnostic log data files. Tesla never produced the diagnostic log data files it promised.

Relatedly, Request for Production No. 7 sought documents describing the circumstances when Tesla vehicles transmit or attempt to transmit data to Tesla. The supplemental response promised to produce responsive documents, but such documents were never actually produced.

In the parties' Joint Brief filed December 18, 2024, Tesla represented to the Court that it was still collecting documents responsive to RFP Nos. 42-45 concerning battery fires. Yet Tesla never actually produced them and has not made any further production of any documents since December 16, 2024.

Plaintiff therefore requests that the Court compel Tesla to produce all items responsive to Requests for Production, Set Two, by a date certain.

III. CONCLUSION

For the foregoing reasons, Plaintiff respectfully requests that the Court order Tesla to produce the above-referenced documents and serve further amended responses to Requests for Production Nos. 2, 3, 7, 13-16, 20-30, 32-34, 39, 42-46, and 48-59, and Special Interrogatories Nos. 1-3, 6, and 10, by January 17, 2025 (four weeks before the close of fact discovery) or another date that the Court deems appropriate.

1 Dated: January 3, 2025

Respectfully Submitted,

2
3 MCCUNE LAW GROUP, APC

4 /s/ Todd A. Walburg
5 Todd A. Walburg (SBN 213063)
6 Scott B. Baez (SBN 330485)

7 Attorneys for Plaintiff
8 DONNA LEACH, individually and on
9 behalf of the Estate of Clyde Leach
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on January 3, 2025, I filed the foregoing document entitled PLAINTIFF'S BRIEF RE: DECEMBER 18, 2024 DISCOVERY DISPUTE with the clerk of court using the CM/ECF system, which will send a notice of electronic filing to all counsel of record in this action.

/s/ Todd A. Walburg
Todd A. Walburg